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17.0 Public Participation in the Planning Process

This chapter outlines the public participation procedures which have been implemented by Monroe County during the comprehensive planning process. This Comprehensive Plan, the Monroe County Year 2010 Comprehensive Plan, is the product of over six years of planning efforts which included extensive public input in the form of Citizen Advisory Committees, public workshops, and public hearings. This chapter describes the following:

- (a) Public Participation Requirements This section describes the public participation requirements for the comprehensive planning process established by Rule 9J-5, Florida Administrative Code (F.A.C.), and Chapter 163, FS.
- (b) Public Participation in "Prior" Plan Development This section describes the public participation in the preparation of the Monroe County Comprehensive Plan, 1990-2010. The Monroe County Board of County Commissioners (BOCC) adopted the Monroe County Comprehensive Plan, 1990-2010 (the "Green Plan") in August 1990 for transmission to the Department of Community Affairs (DCA). DCA responded in December 1990 by issuing a Objections, Recommendations and Comments (ORC) report outlining the deficiencies of the plan which needed to be addressed in order to be found in compliance with state requirements. In February 1991, the BOCC adopted a slightly revised Monroe County Comprehensive Plan, 1990-2010 (the "Banana Plan"), and, in recognition that the Banana Plan did not satisfy the deficiencies outlined in the ORC report, initiated the preparation of a remedial plan.
- (a) Public Participation in the Preparation of the Remedial Plan This section describes the public participation in the preparation of the Monroe County Year Comprehensive Plan.
- (b) Public Participation in the Continuing Planning Process This section describes public participation opportunities to be provided during the transmission and adoption of the Monroe County Year 2010 Comprehensive Plan, as well as during the continuous monitoring and evaluation of the Comprehensive Plan.

17.1 Public Participation Requirements

Section 9J-5.004, F.A.C., outlines the requirements for public participation in the comprehensive planning process. In order to provide for and encourage public participation, the local governing body and the local planning agency are to adopt procedures to:

- (a) notify real property owners and citizens of actions to be undertaken or contemplated by the Plan that may affect the use of their property;
- (b) assure public input in the planning process, including the submission of written comments and the consideration of and response to public comments; and
- (c) assure the required public hearings are held, pursuant to Chapter 163.3181 and 163.3184, FS.

Chapter 163.3181, FS, establishes the intent of public participation in the comprehensive planning process. The statutory requirements Chapter 163, FS are that public hearings are to be held at the transmission and adoption stages of the planning process. Chapter 163.3184(15)(b) requires that at least two advertised public hearings be held by the local governing body. The first public hearing is to be held at the transmittal stage on a weekday seven days after the first advertisement of the public hearing. The intention to hold and advertise a second public hearing is to be announced at the first meeting. The second public hearing is to be held at the adoption stage on a weekday five days after the publication of the second advertisement.

In addition to the 9J-5 and Chapter 163 requirements, Monroe County has established procedures for the amendment of the Comprehensive Plan [Monroe County Land Development Regulations (MCLDR), Article XI: Amendments]. The procedures require that the Planning Commission (the local planning agency) and the BOCC (the local governing body) hold at least one public hearing each on any proposed amendments to the Comprehensive Plan. These procedures also establish notification requirements related to size, content, timing, and placement of newspaper advertisements consistent with Chapter 163 requirements.

17.2 Public Participation in "Prior" Plan Development

In order to encourage public participation in the comprehensive planning process and in the preparation of the Monroe County Comprehensive Plan, 1990-2010, the Monroe County Board of County Commissioners (BOCC) adopted Resolution 293-1990 on May 30, 1990 providing for public participation procedures in the comprehensive planning process. The Resolution provided for the following public participation mechanisms:

- (a) Citizens Advisory Committees and public workshops;
- (b) public hearings and opportunities for open discussions and the submission of written comments;
- (c) notification procedures and communication programs and information services; and
- (d) dissemination of proposals and alternatives.

A listing of the public participation in the preparation of the Monroe County Comprehensive Plan, 1990-2010 is provided in Table 17.1.

17.2.1 Citizens Advisory Committees and Public Workshops

Three Citizens Advisory Committees were appointed by the BOCC in order to address transportation, environmental, and water quality issues. These committees held a total of 18 meetings and served in an advisory capacity to the Growth Management Division and the Planning Commission.

In addition to the Citizen Advisory Committees, 24 public workshops were held throughout the Keys and a public opinion survey of approximately 3,000 Monroe County residents was conducted.

17.2.2 Public Hearings

Between July 2, 1990 and August 22, 1990, the Planning Commission held six public hearings and the BOCC held an additional six public hearings to review the proposed Comprehensive Plan. At each of these meetings, the public was afforded the opportunity to address the Planning Commission or the BOCC and to submit written comments.

On August 24, 1990, the BOCC held its final public hearing to adopt the Monroe County Comprehensive Plan, 1990-2010 for transmittal to the Department of Community Affairs for review, pursuant to the requirements of Chapter 163.3184, FS. On December 3, 1991, the Department of Community Affairs issues its Objections, Recommendations and Comments Report.

On February 4, 1991, the BOCC held a public hearing and adopted the revised Monroe County Comprehensive Plan, 1990-2010 for transmission to DCA. At this same meeting, the BOCC initiated the preparation of the remedial plan by reviewing the Preliminary Policy Direction.

17.2.3 Notification Procedures and Communication Programs

Monroe County notified real property owners and citizens of BOCC and Planning Commission public hearings consistent with the requirements described above. This included advertising each public hearing at least twice in a newspaper of general circulation in the area, with the first publication not less than 14 days prior to the date of the hearing and the second at least five days prior to the hearing. Monroe County has followed an established, consistent newspaper advertisement procedure related to timing, content, and location to assure real property owners and citizens are properly notified of actions which may affect the use of their property. In addition to newspaper advertisements, two newsletters were distributed to inform the public of the status of the comprehensive planning process.

17.2.4 Dissemination of Proposals and Alternatives

Monroe County made available for public inspection all proposals for amendments to the Comprehensive Plan and all other documents prepared during the comprehensive planning process at locations throughout the Upper, Middle and Lower Keys, including public libraries and government centers.

17.3 Public Participation in the Preparation of the Remedial Plan

In 1991 the BOCC initiated the preparation of a remedial plan, the Monroe County Year 2010 Comprehensive Plan. Public participation during this phase of the planning process is summarized in Table 17.2, and began on February 4, 1991 with the BOCC's first public hearing a document titled Preliminary Policy Direction. This document outlined the major issues to be addressed by the remedial plan. A second public hearing on the Preliminary Policy Direction document was held on March 14, 1991.

In March 1991, the DCA issued a Notice of Intent to find the prior plan, the Monroe County Comprehensive Plan, 1990-2010, not in compliance with state law. Following this action, the BOCC entered into a joint stipulated settlement agreement with DCA to develop a remedial plan. The

settlement agreement required four public hearings at the transmission and adoption stages of the planning process.

During the initial stages of developing the remedial plan, an Interim Development Ordinance (IDO) was proposed. The purpose of this ordinance was to ration the number of building permits issued during the planning process so as to preserve a supply of permits to be issued following the plan's effective date. Public hearings on the IDO were held on June 17 and 25 and July 1 and 2, 1991. At the July 2, 1991 public hearing, the BOCC voted against the ordinance.

Following the rejection of the IDO, a series of six joint BOCC and Planning Commission presentations and public hearings were held between July and December 1991 to guide the development of the remedial plan. These monthly meetings served as public information sessions and opportunities for policy input on issues and alternatives developed during the planning process. In January 1992 a complete draft of the remedial plan was distributed for public review and comment. The Planning Commission's formal review of the plan began on March 17, 1992 with a workshop, followed by public hearings on April 16, 20, 21, and 22. The BOCC then held a public hearing on the plan on May 14, followed by a series of special meetings on May 15, 18, and 19 to review and modify the document element by element. This stage of the process culminated on May 21, 1992, when the BOCC held a public hearing and voted to transmit the Monroe County Year 2010 Comprehensive Plan to the DCA for review.

It was also during the spring and summer of 1992 that the County began preparing the Dwelling Unit Allocation Ordinance, which became more commonly known as the Rate of Growth Ordinance or the ROGO. Preparation of the ROGO began with three public workshops in March, a special Planning Commission/BOCC joint meeting on April 7, a Planning Commission public hearing on May 29, and three BOCC public hearings in June. At the third public hearing, on June 23, 1992, the BOCC adopted the ROGO. Parts of this ordinance were ultimately included in the remedial plan at subsequent public hearings.

On August 17, 1992, the DCA issued an Objections, Recommendations, and Comments (ORC) report on the Monroe County Year 2010 Comprehensive Plan. The Planning Commission held public hearings on September 29 and 30 and October 8, 15, and 29 to consider plan revisions and responses to the ORC. The matter was then considered by the BOCC at public workshops held on December 1, 2, and 10, 1992 and March 8, 1993. Following the Planning Commission's final public hearing on April 1, 1993, the BOCC held a final public hearing on April 15, 1993 and adopted the BOCC's revised version of the Monroe County Year 2010 Comprehensive Plan. This concluded the planning process at the local level. At the state level, the Governor and Cabinet, sitting as the Administration Commission, modified portions of the plan on December 12, 1995 and June 12, 1997.

All public hearings during the planning process at the local level were advertised in accordance with the procedures described in 17.2.3 above, and the agenda materials were made available in advance at locations in the Upper, Middle and Lower Keys, as well as at the County offices on Stock Island. The BOCC and Planning Commission invited public input at all of the public hearings and workshops, as well as most of the meetings, and directed incorporation of relevant public comment. In accordance with County practice, the meeting locations rotated between the Upper, Middle and Lower Keys.

17.4 Public Participation in the Continuing Planning Process

Monroe County shall continue to encourage and provide for public participation in the comprehensive planning process in conformance with the state and local requirements described in Section 17.1 above as well as with the public hearing requirements established in the Joint Stipulated Settlement Agreement. Specifically, the Planning Commission and BOCC shall hold at least two public hearings at the transmission stage and at least two public hearings at the adoption stage of the comprehensive planning process consistent with established Monroe County procedures related to timing, location, and notification.

Following the adoption of the Monroe County Year 2010 Comprehensive Plan, Monroe County shall continue to encourage and provide for public participation in the continuing planning process. Monroe County shall continue to hold public hearings, consistent with established Monroe County procedures described in Section 17.1 above, related to the monitoring, evaluation, and implementation of the Comprehensive Plan and the adoption of any amendments to the Monroe County Year 2010 Comprehensive Plan.

Table 17.1
Public Participation in the Preparation of the
Monroe County Comprehensive Plan, 1990-2010

Date	Subject
10/06/90	Staff distributed the October comprehensive plan newsletter to community groups, libraries, and public officials.
10/17/89	Staff held a public workshop in the Upper Keys on community assets, liabilities, and vision.
10/18/89	Staff held a public workshop in the Middle Keys on community assets, liabilities, and vision.
10/19/89	BOCC adopted a public participation program.
11/30/89	Staff distributed the November comprehensive plan newsletter to community groups, libraries, and public officials.
11/14/89	Staff held a public workshop in the Upper Keys on goals, objectives, and policies.
11/15/89	Staff held a public workshop in the Middle Keys on goals, objectives, and policies.
11/16/89	Staff held a public workshop in the Lower Keys on goals, objectives, and policies.
03/08/90	Regional Research & Associates completed a survey of citizen opinions on planning and growth.
03/22/90	Staff held public a workshop in the Lower Keys on future land use.
03/27/90	Staff held a meeting of the environmental advisory committee.
03/29/90	Staff held a public workshop in the Middle Keys on future land use.
04/03/90	Staff held a meeting of the transportation advisory committee.
04/04/90	Development Review Committee reviewed alternative drafts of the North Key Largo Habitat Conservation Plan.
04/04/90	Staff held a public workshop in the Upper Keys on future land use.
04/11/90	Staff briefed and received input from the Planning Commission on progress on the comprehensive plan.
04/12/90	Staff held a meeting of the environmental advisory committee.
04/17/90	Staff briefed and received input from the Planning Commission on progress on the comprehensive plan.
04/19/90	Staff held a public workshop in the Lower Keys on concurrency and levels of service.
04/19/90	Staff held a meeting of the transportation advisory committee.
04/26/90	Staff held a public workshop in the Middle Keys on concurrency and levels of service.
04/26/90	Planning Commission reviewed the North Key Largo Habitat Conservation Plan.

Date	Subject
05/04/90	Staff held a public workshop in the Upper Keys on concurrency and levels of service.
05/08/90	Staff held a meeting of the water quality advisory committee.
05/10/90	Staff briefed and received input from the Planning Commission on progress on the comprehensive plan.
05/10/90	Planning Commission recommended approval of public participation procedures.
05/10/90	Staff held a meeting of the environmental advisory committee.
05/11/90	Staff held a meeting of the transportation advisory committee.
05/17/90	Staff held a public workshop in the Lower Keys on major planning issues.
05/22/90	Staff held a meeting of the environmental advisory committee.
05/24/90	Staff held a public workshop in the Middle Keys on major planning issues.
05/29/90	Staff held a meeting of the environmental advisory committee.
05/29/90	Staff held a meeting of the water quality advisory committee.
05/29/90	Staff briefed and received input from the Planning Commission on progress on the comprehensive plan.
05/29/90	County Commission adopted public participation resolution #293-1990.
05/30/90	Development Review Committee reviewed alternatives of the Big Pine Key Community Plan.
05/31/90	Staff held a public workshop in the Upper Keys on major planning issues.
06/01/90	Staff held a meeting of the transportation advisory committee.
06/05/90	Staff held a meeting of the water quality advisory committee.
06/14/90	Staff held a public workshop in the Lower Keys on capital improvements and budgetary issues.
06/15/90	Planning Commission held a public hearing and reviewed the Big Pine Key Community Plan alternatives.
06/19/90	Staff held a meeting of the water quality advisory committee.
06/21/90	Staff held a public workshop in the Middle Keys on capital improvements and budgetary issues.
06/21/90	Staff held a meeting of the environmental advisory committee.
06/21/90	Planning Commission held a public hearing and revised the Big Pine Key Community Plan alternatives.
06/27/90	Staff held a meeting of the transportation advisory committee.

Date	Subject
06/28/90	Staff held a public workshop in the Upper Keys on capital improvements and budgetary issues.
07/02/90	Staff held a meeting of the environmental advisory committee.
07/02/90	Planning Commission held a public hearing and reviewed the Big Pine Key Community Plan alternatives.
07/03/90	Staff held a public workshop in the Lower Keys on the future land use element and map.
07/09/90	Staff held a public workshop in the Middle Keys on the future land use element and map.
07/10/90	Staff held a public workshop in the Upper Keys on the future land use element and map.
07/10/90	Staff held a meeting of the water quality advisory committee.
07/12/90	County Commission held a public hearing, reviewed the Big Pine Key Community Plan alternatives, and selected a preferred scenario.
07/23/90	Planning Commission held a public hearing and reviewed the proposed comprehensive plan.
07/24/90	Staff held a meeting of the water quality advisory committee.
07/24/90	Planning Commission held a public hearing and reviewed the proposed comprehensive plan.
07/25/90	Staff held a meeting of the environmental advisory committee.
07/26/90	Planning Commission held a public hearing and reviewed the proposed comprehensive plan.
07/27/90	Planning Commission held a public hearing and reviewed the proposed comprehensive plan.
07/28/90	Planning Commission held a public hearing and reviewed the proposed comprehensive plan.
08/08/90	County Commission held a public hearing and reviewed the proposed comprehensive plan.
08/09/90	County Commission held a public hearing and reviewed the proposed comprehensive plan.
08/10/90	County Commission held a public hearing and reviewed the proposed comprehensive plan.
08/13/90	County Commission held a public hearing and reviewed the proposed comprehensive plan.
08/14/90	County Commission held a public hearing and reviewed the proposed comprehensive plan.
08/22/90	County Commission held a public hearing and reviewed the proposed comprehensive plan.
08/24/90	County Commission held a public hearing and adopted the proposed comprehensive plan for transmittal to DCA.
12/03/90	DCA issues Objections, Recommendations and Comments Report(ORC) and finds the plan "not in compliance".
12/18/90	County Commission held a public hearing and was presented with 26 policy questions by staff.

Date	Subject
01/08/91	County Commission held a public hearing and hires consultant to finish the comprehensive plan.
01/30/91	County Commission held a public hearing and reviews staff position paper on comprehensive plan.
02/04/91	County Commission held a public hearing and votes on policy issues and staff recommendations and adopts this revised version of the comprehensive plan.
03/22/91	DCA files Notice of Intent to find the amended Monroe County Year 2010 Comprehensive Plan "not in compliance".

Table 17.2
Public Participation in the Preparation of the
Monroe County Year 2010 Comprehensive Plan

Date	Location	Subject
February 4, 1991	Key Colony Beach	BOCC Public Hearing: Policy issues and staff recommendations.
March 14, 1991	Key Colony Beach	BOCC Public Hearing: Preliminary policy direction.
March 22, 1991		DCA files Notice of Intent to find the amended Monroe County Year 2010 Comprehensive Plan "not in compliance".
June 17, 1991	Key Colony Beach	BOCC Public Hearing: Interim Development Ordinance.
June 25, 1991	Key Largo	BOCC Public Hearing: Interim Development Ordinance.
July 1, 1991	Stock Island	Planning Commission Public Hearing: Interim Development Ordinance.
July 2, 1991	Key Colony Beach	BOCC Public Hearing: Interim Development Ordinance.
July 25, 1991	Key Colony Beach	Preliminary Plan Issues: Platted Lots, Sanitary Sewer, and Solid Waste.
August 21, 1991	Key West	Working Paper 1: Plan Organization transmitted; Role of Planning Commission; Discussion of Mapping.
September 25, 1991	Key Largo	Plan Issues: Hurricane Evacuation, Sanitary Sewer, and Big Pine Key.
October 1, 1991	Key West	BOCC Special Meeting: Stipulated Agreement.
November 13, 1991	Key West	Working Paper 2: Inventory and Analysis, Proposed Levels of Service, and Summary of Carrying Capacity Constraints.
December 12, 1991	Key Colony Beach	Working Paper 3: Alternative Concepts.
February 2, 1992	Key Colony Beach	BOCC and DCA enter into a Joint Stipulated Settlement Agreement.
March 13, 1992	Sugarloaf Key	Consultant Workshop: Permit allocation system.
March 14, 1992	Marathon	Consultant Workshop: Permit allocation system.
March 17, 1992	Stock Island	Planning Commission Workshop: Review proposed plan.

Date	Location	Subject
April 7, 1992	Key West	Special Meeting: Joint PC and BOCC on permit allocation.
April 16, 1992	Marathon	Planning Commission Public Hearing: Review plan and make recommendations to BOCC.
May 14, 1992	Key Colony Beach	BOCC 1 st Public Hearing: Vote on transmittal to DCA.
May 15, 1992	Key Colony Beach	BOCC Special Meeting: Review proposed plan.
May 18, 1992	Key Colony Beach	BOCC Special Meeting: Review proposed plan.
May 21, 1992	Key Largo	BOCC 2 nd Public Hearing: Vote on transmittal to DCA.
May 29, 1992	Stock Island	Planning Commission Public Hearing: Permit Allocation System
June 9, 1992	Key Colony Beach	BOCC Public Hearing: Permit Allocation System.
June 22, 1992	Key Largo	BOCC Public Hearing: Permit Allocation System.
June 23, 1992	Key West	BOCC Public Hearing: Permit Allocation System.
August 17, 1992		DCA issues Objections, Recommendations and Comments Report (ORC).
September 29, 1992	Key Colony Beach	Planning Commission Public Hearing: Changes to be included following ORC for resubmittal to DCA.
September 30, 1992	Key Colony Beach	Planning Commission Public Hearing: Changes to be included following ORC for resubmittal to DCA.
October 8, 1992	Marathon	Planning Commission Public Hearing: Changes to be included following ORC for resubmittal to DCA.
October 15, 1992	Marathon	Planning Commission Public Hearing: Changes to be included following ORC for resubmittal to DCA.
October 16, 1992	Key Colony Beach	BOCC Public Hearing: Changes to be included following ORC for resubmittal to DCA.
October 29, 1992	Marathon	Planning Commission Public Hearing: Review proposed plan.
November 19, 1992	Key Colony Beach	BOCC Public Hearing: Land Development Regulations.
December 1, 1992	Key Largo	BOCC Public Workshop: Plan revisions in response to ORC.

Date	Location	Subject
December 10, 1992	Key Colony Beach	BOCC Public Workshop: Plan revisions in response to ORC.
March 8, 1993	Marathon	BOCC Public Workshop: Plan revisions.
April 1, 1993	Marathon	Planning Commission Public Hearing: Consider recommendations to BOCC.
April 15, 1993	Key Colony Beach	BOCC Adoption Hearing: Adopted Monroe County Year 2010 Comprehensive Plan.